

JOURNAL OF THE HOUSE

First Regular Session, 93rd GENERAL ASSEMBLY

FOURTEENTH DAY, MONDAY, JANUARY 31, 2005

The House met pursuant to adjournment.

Speaker Pro Tem Bearden in the Chair.

Prayer by Reverend James Earl Jackson.

Heavenly Father, You are our portion and our cup [of blessing]; You hold our future in Your hand.

O how we revel in the democratic process and appreciate our freedom to do so. May the newly formed governments of this world come to experience and appreciate democracy as we do. May we never take it for granted.

We are always aware of Your presence and because You are at our right hand, we will not be shaken nor will we be sidetracked from the assignment before us.

May we be those who walk in our integrity, do what is right in Your sight, speak the truth from our heart, refuse to criticize one another, do not harbor evil in our heart, and who keep our word whatever the cost.

May Your grace be sufficient for all we do.

In the majestic name of Your Son we pray. Amen.

The Pledge of Allegiance to the flag was recited.

There was a moment of silence in memory of former Representative Maurice Lawson.

The Journal of the thirteenth day was approved as printed by the following vote:

AYES: 157

Aull	Baker 123	Baker 25	Barnitz	Bean
Bearden	Behnen	Bivins	Black	Bland
Bowman	Bringer	Brooks	Brown 30	Brown 50
Bruns	Burnett	Byrd	Chappelle-Nadal	Casey
Chinn	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Fraser	George
Goodman	Guest	Harris 110	Harris 23	Haywood
Henke	Hobbs	Hoskins	Hughes	Hunter
Ice	Jackson	Johnson 47	Johnson 61	Jolly
Jones	Kelly	Kingery	Kratky	Kraus
Kuessner	Lager	Lampe	Lembke	LeVota

Liese	Lipke	Loehner	Low 39	Lowe 44
Marsh	May	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Myers	Nance
Nieves	Nolte	Oxford	Page	Parker
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Robinson	Roorda	Rucker	Ruestman
Rupp	Salva	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Schoemehl	Selby
Self	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	Stefanick	Stevenson	St. Onge	Storch
Sutherland	Swinger	Threlkeld	Tilley	Viebrock
Villa	Vogt	Wagner	Wallace	Walsh
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright-Jones
Wright 137	Wright 159	Yaeger	Yates	Young
Zweifel	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Avery	Boykins	Hubbard	Johnson 90	Walton
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VACANCIES: 001

HOUSE RESOLUTION

Representative Bearden, et al., offered House Resolution No. 309.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 302	-	Representative Dixon, et al.
House Resolution No. 303		
and		
House Resolution No. 304	-	Representative Behnen
House Resolution No. 305		
and		
House Resolution No. 306	-	Representative Storch
House Resolution No. 307	-	Representative Wasson
House Resolution No. 308	-	Representative Lampe
House Resolution No. 310	-	Representative Nieves
House Resolution No. 311	-	Representative Lager
House Resolution No. 312	-	Representative Emery
House Resolution No. 313	-	Representative Haywood

SECOND READING OF HOUSE JOINT RESOLUTIONS

HJR 12 and **HJR 13** were read the second time.

SECOND READING OF HOUSE BILLS

HB 364 through **HB 390** were read the second time.

REFERRAL OF HOUSE RESOLUTION

The following House Resolution was referred to the Committee indicated:

HR 309 - Rules

COMMITTEE REPORT

Committee on Rules, Chairman Bearden reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **SB 176**, begs leave to report it has examined the same and recommends that it **Do Pass**, with no time limit for debate.

SUPPLEMENTAL CALENDAR

JANUARY 31, 2005

SENATE BILL FOR THIRD READING

SB 176, E.C. - Deeken

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 10**.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 391, introduced by Representative Cooper (120), relating to public records.

HB 392, introduced by Representatives Icet, Muschany, Cooper (155), Sater, Shoemyer, Phillips, Myers, Meiners, Behnen, Davis, Meadows, Weter, Cunningham (86), Moore, Sutherland, Bivins, Sander and Wood, relating to tax credits for contributions to pregnancy resource centers.

HB 393, introduced by Representatives Byrd, Jetton, Bearden, Dempsey, Goodman, Portwood, Nieves, Hunter, Hubbard, Dougherty, Page, Pratt, Selby, Kelly, Smith (14), Marsh, Richard, Hobbs, Brown (30), Faith, Chinn, Cunningham (86), Kingery, Schaaf, Sutherland, Baker (123), Self, Cooper (158), Deeken, Emery, Lager, Roark, Ervin, Ruestman, Dixon, Weter, Munzlinger, Cooper (120), Pearce, Wood, Tilley, Jackson, Robb, Davis, Quinn, Moore, Dusenberg, Rector, Yates, Smith (118), Wasson, Wilson (130), Sander, Nolte, Schad, Wilson (119), Phillips, Cooper (155), Denison, Wells, Nance, Bean, Wright (159), Johnson (47), Rupp, Pollock, McGhee,

Lembke, Guest, Fares, Bivins, Threlkeld, Viebrock, May, Jones, Icet, Sater, Bruns, Stefanick, Dethrow, Lipke, Muschany, Kraus, Stevenson, Behnen, Fisher, Cunningham (145), Loehner, Day, Wright (137), Schlottach, Meiners, Franz and St. Onge, relating to claims for damages and the payment thereof.

HB 394, introduced by Representative Byrd, relating to insurance for health care providers in Missouri.

HB 395, introduced by Representative Wood, relating to water supply districts.

HB 396, introduced by Representatives Roorda, Oxford, Meadows, Wildberger, Hoskins, Swinger, Bringer, Lampe, Casey, Johnson (90), Harris (23), Denison, Wagner, Jolly, Aull, Robinson, Schoemehl, Darrough, Parson and Jones, relating to hazardous materials.

HB 397, introduced by Representatives Henke, Kuessner, Barnitz, Swinger, Munzlinger and Bringer, relating to license plates for disabled persons.

HB 398, introduced by Representatives Lowe (44), Meiners, Walsh and Young, relating to navigation and regulatory markers.

HB 399, introduced by Representative Lowe (44), relating to state building energy codes.

HB 400, introduced by Representatives Yates, Moore, Wildberger, Bivins, Meiners, Wasson, Page, Johnson (47), Dusenberg, Sater, Myers and Avery, relating to the dental carve-out act of 2005.

HB 401, introduced by Representative Bruns, relating to emergency services.

HB 402, introduced by Representatives Schaaf, Stefanick, Behnen, Bearden, Denison, Stevenson, Portwood, Johnson (47), Munzlinger, Page, Sander, Threlkeld, Wright (137), Oxford, Wright (159), Dusenberg, Davis, May, Deeken, Kingery, Weter, Chinn, Richard, Jones and Skaggs, relating to podiatrists.

HB 403, introduced by Representatives Donnelly, Skaggs, Spreng, Wright-Jones, Selby, LeVota, Brown (50), Meiners, Shoemyer, Fraser, Daus, Haywood, Kratky, Hoskins, Whorton, Zweifel, Darrough, Aull, Bowman, Low (39), Kuessner, Wildberger, Salva, Bland, Chappelle-Nadal, Baker (25), Barnitz, Witte, Walton, Casey, Wagner, Sanders Brooks, Storch, Lampe, Lowe (44), Johnson (61), Liese, Burnett, Hughes, Rucker, Dougherty, Schoemehl, Robinson, Swinger, Harris (110), Bringer, Henke, Roorda, Jolly, Meadows, George, Young, Harris (23), Walsh, Curls, Oxford, Yaeger, Corcoran, Vogt and Johnson (90), relating to life insurance benefits for Missouri national guard personnel.

COMMUNICATION

Pursuant to section 477.650, RSMo, the Missouri Supreme Court has reported to the General Assembly on the collection and disbursement of moneys from the Basic Civic Legal Services fund. A copy is on file in the Office of the Chief Clerk.

WITHDRAWAL OF HOUSE BILLS

January 27, 2005

Steve Davis
Missouri House of Representatives
Room 306C
Jefferson City, MO 65101

Dear Steve:

I had previously filed **House Bill No. 247** that “establishes child passenger restraint system guidelines for children six and under,” but respectfully ask that this bill be withdrawn.

Thanking you in advance for your assistance in this matter.

Best regards,

/s/ Representative Gary Dusenberg
District 54

January 27, 2005

Mr. Steve Davis
Chief Clerk
Missouri House of Representatives
Jefferson City, MO 65101

Dear Clerk Davis:

I would like to withdraw **House Bill No. 290** to be resubmitted at a later date.

Sincerely,

/s/ Barbara Fraser

The following member's presence was noted: Boykins.

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 10:00 a.m., Tuesday, February 1, 2005.

COMMITTEE MEETINGS

AGRICULTURE POLICY

Tuesday, February 1, 2005, 12:00 p.m. Hearing Room 1.
Public hearing to be held on: HB 191

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Tuesday, February 1, 2005, 8:00 a.m. Hearing Room 4.
Overviews Department of Conservation and Department of Agriculture.

APPROPRIATIONS - EDUCATION

Tuesday, February 1, 2005, 8:00 a.m. Hearing Room 1.
Organizational meeting.

APPROPRIATIONS - EDUCATION

Tuesday, February 1, 2005, 2:45 p.m. Hearing Room 1.
Presentation from Department of Elementary and Secondary Education.

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, February 1, 2005, 8:00 a.m. Hearing Room 7.
Organizational meeting as well as reviewing proposed budgets
from office of Governor and Lt. Governor.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Tuesday, February 1, 2005, 8:00 a.m. Hearing Room 3.
Public testimony and discuss organizational issues.
Recess upon morning adjournment to 6:00 p.m. AMENDED

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Tuesday, February 1, 2005, 8:00 a.m. Hearing Room 6.
Organizational meeting.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Tuesday, February 1, 2005, 8:00 a.m. Hearing Room 5.
Department overviews will begin promptly at 8:00 a.m.

CONSERVATION AND NATURAL RESOURCES

Wednesday, February 2, 2005, 6:00 p.m. Hearing Room 1.
Public testimony on the Department of Conservation.

CRIME PREVENTION AND PUBLIC SAFETY

Tuesday, February 1, 2005, 6:00 p.m. Hearing Room 1.
Executive session may follow.
Public hearing to be held on: HB 272

ELECTIONS

Tuesday, February 1, 2005, 6:00 p.m. Hearing Room 5.
Introductory meeting with representatives from Secretary of
State Election Division, Ethics and County Clerks.

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, February 2, 2005, 8:00 a.m. Hearing Room 3.
Executive session may follow.
Public hearings to be held on: HB 172, HB 276, HB 297

ETHICS

Thursday, February 3, 2005, 8:00 a.m. Hearing Room 4.
Approval of caucuses. Executive session to follow.

FISCAL REVIEW

Wednesday, February 2, 2005, 3:00 p.m. Hearing Room 6.
Organizational meeting.

HEALTH CARE POLICY

Wednesday, February 2, 2005, 8:00 a.m. Hearing Room 6.
Organizational meeting.

HIGHER EDUCATION

Tuesday, February 1, 2005, 12:00 p.m. Hearing Room 4.
Executive session to follow. AMENDED
Public hearing to be held on: HB 220

JOB CREATION AND ECONOMIC DEVELOPMENT

Wednesday, February 2, 2005, 12:00 p.m. Hearing Room 6.
Organizational meeting. Executive session may follow.

JUDICIARY

Tuesday, February 1, 2005, 12:00 p.m. Hearing Room 7.
Organizational meeting will follow.
Public hearing to be held on: HB 85

LOCAL GOVERNMENT

Thursday, February 3, 2005, 8:00 a.m. Hearing Room 6.
Public hearings to be held on: HB 127, HB 46, HB 215, HB 58, HB 284
Executive session may be held on: HB 40

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, February 2, 2005, 12:00 p.m. Hearing Room 1.
Organizational meeting. Executive board directors from
the Division of Professional Registration will be in attendance.

TRANSPORTATION

Wednesday, February 2, 2005, 8:00 a.m. Hearing Room 1. AMENDED
Public hearings to be held on: HB 43, HB 62, HB 154, HB 155, HB 210, HB 243

VETERANS

Wednesday, February 2, 2005, 8:00 a.m. Hearing Room 5.
Executive session may follow.
Public hearings to be held on: HB 94, HB 119, HB 162, HB 163, HB 213, HB 216

HOUSE CALENDAR

FIFTEENTH DAY, TUESDAY, FEBRUARY 1, 2005

HOUSE BILLS FOR SECOND READING

HB 391 through HB 403

SENATE BILL FOR THIRD READING

SB 176, E.C. - Deeken